[illegible]

The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Third periodic report of Latvia (continued) (CCPR/C/LVA/3; CCPR/C/LVA/Q/3 and Add.1; HRI/CORE/1/Add.123)

1. *At the invitation of the Chairperson, the members of the delegation of Latvia took places at the Committee table.*

2. **Ms. Druviete** (Latvia) said that the evaluation of the previous Domestic Violence Action Plan was not yet complete. According to a recent European Union survey, 20 per cent of Latvian women had been victims of violence at least once in their life. Social rehabilitation programmes had so far been available only for child victims of domestic violence, but funding for programmes aimed at adult victims and perpetrators of domestic violence had been approved as of January 2015. New types of restraining orders would be introduced from 2016, and notably would be available to be enforced ex officio.

3. **Ms. Pilipa** (Latvia) said that 29 per cent of members of Parliament were women, including the President. The Prime Minister and 5 out of 13 cabinet ministers, along with 5 secretaries of State, were also women. A report on the implementation of the Gender Equality Action Plan 2012–2014 would be published in 2015. Measures taken under the plan had included training for primary school teachers and awareness-raising campaigns focused on tackling stereotypes. New guidelines had been adopted for school and university curricula together with the training of teachers at all levels in an effort to promote equal opportunities. A new policy on gender equality was being devised for 2014–2020. Progress had been made in combating human trafficking, including in respect of the assistance provided to victims. A new National Strategy for the Prevention of Human Trafficking 2014–2020 had been adopted in January 2014, which provided for a variety of measures, such as awareness-raising activities among vulnerable populations, strengthened cooperation with non-governmental organizations (NGOs), risk factor analysis, media campaigns and improved information for victims. The statistics contained in the annex of the State party's written replies to the list of issues were not overly clear, but it was true to say that only female victims of trafficking had benefited from access to rehabilitation services in 2009 and 2013. Information regarding such assistance was available on the Internet and from police stations and embassies, but the victims themselves must seek it out. The number of recipients did not therefore necessarily correspond with the number of victims. The increase in the number of recipients could be explained by the improvements made in victim identification and the increase in resources allocated to such services.

4. **Mr. Volks** (Latvia) said that in regard to human trafficking Latvia was primarily a country of origin rather than a country of transit or destination. The State Police participated in prevention activities involving vulnerable groups. Article 154.2 of the Criminal Code contained a general definition of trafficking, which incorporated trafficking for the purpose of sexual exploitation. Sexual exploitation *per se* was, however, prohibited under article 165.1, which also provided for cases in which victims had given their consent. The Cabinet of Ministers had approved the establishment of a new institution to replace the Internal Security Office of the State Police, which would be responsible for internal investigations into complaints against State police officers, customs officials, prison officers and municipal police officers, under the direct supervision of the Ministry of the Interior. The institution would no longer report to the State Police Chief and would therefore enjoy greater independence.

5. **Ms. Freimane** (Latvia) said that the law provided for languages other than Latvian to be used when communicating in emergency situations with the police, prison officials,

medical professionals or the emergency services for example, and that recent amendments to the Code of Criminal Procedure provided for access, where appropriate, to State-funded translation or interpretation services throughout judicial proceedings. The death of a detainee was still subject to a thorough investigation, including investigation into whether the death was the result of natural causes. Concerning complaints of torture involving prison staff, the reform of the Internal Security Office of the State Police should strengthen the effectiveness and independence of investigators by placing them outside the control of the Prisons Governor of the institution under investigation. Detainees could submit their complaints to the Ombudsman, the prosecutor, the prison authorities, the administrative court, the Constitutional Court or the European Court of Human Rights, as appropriate. The Code of Criminal Procedure allowed victims of violent crimes, and therefore victims of torture, to seek redress at any stage of the proceedings.

6. **Mr. Kiluro** (Latvia) said that the number of deaths linked to cardiovascular disease in psychiatric hospitals was on a par with figures for the general population and did not reflect a lack of care. Among the approximately 80,000 patients detained in such establishments, there were many older persons receiving long-term medical care who were likely to suffer side effects that affected their cardiovascular system. Detailed statistics disaggregated by age were kept up to date.

7. **Mr. Citskovskis** (Latvia) said that the naturalization process did not preclude the acquisition of Latvian nationality by *jus soli* for children born to foreign nationals. Additional information on that subject was contained in the State party's written replies. Pursuant to legislative amendments adopted in order to give effect to the ratification of the Convention on the Rights of Persons with Disabilities and the decisions of the Constitutional Court, courts could decide to limit the material rights of persons with severe disabilities but under no circumstances their non-material rights. Any one with a disability could therefore freely apply for naturalization or a passport. Certain categories of persons with a mental disability or impairment were exempt from the knowledge and language tests usually required for naturalization.

8. **Mr. Makarovs** (Latvia) said that the law required the use of Latvian, or failing that, recourse to interpretation services, at all events organized by public entities. Such an obligation did not apply to private individuals or entities, except in very specific cases, namely matters of public interest involving consumer health, safety or protection. Cultural events were exempt, and communication within minority language communities was not regulated. Furthermore, the Public Demonstrations Act enshrined the right to freedom of expression, including the free choice of language.

9. **Ms. Lice** (Latvia) said that electoral law had been amended in accordance with the Committee's observations and since that time candidates must only demonstrate that their command of Latvian, the working language of the Parliament and municipal councils, was of a sufficient level to allow them to perform the functions related to their prospective mandate. On a separate note, persons sentenced to life imprisonment had the option of challenging their individual risk assessments.

10. **Mr. Vardzelashvili** asked under what circumstances the authorities could decide to consider an asylum application according to the fast-track process, how that process differed from the standard process and whether the deadline for appeal was 10 working days in all cases. Referring to paragraph 113 of the written replies, he asked why evidence of a risk of torture or ill-treatment or a threat to the life and security of a person was not considered grounds for refusing expulsion or extradition. He asked the delegation to clearly indicate whether the conviction of a person for a particularly serious crime was sufficient grounds for expelling or extraditing that person to another State, even if he or she might be subject to torture or ill-treatment. According to the information contained in paragraph 94, persons involuntarily detained in psychiatric hospitals could wait up to six days for a judge

to rule on the legality of their hospitalization. Lastly, he wished to know whether independent human rights bodies visited such establishments.

11. **Ms. Seibert-Fohr** asked whether all suspects including those arrested for administrative offences were brought before an investigating judge within 48 hours. It seemed as though some were held in police custody for days or even weeks at a time before being transferred to a detention centre. She asked the delegation to provide statistics on the average duration of detention on remand and the percentage of pretrial detainees in relation to the total prison population. She also wished to know whether the audit commission responsible for assessing conditions of detention had already submitted its report, whether the State party intended to introduce measures such as the use of bail or electronic tags and whether it planned to improve living conditions in the temporary detention centres in Dobele, Jelgava and Saldus, along with the central prison in Rīga and the prison in Jelgava. She also asked the delegation to comment on reports that evidence of physical sequelae was not automatically reported to the prosecutor in cases of ill-treatment.

12. **Ms. Waterval** asked whether persons with HIV or hepatitis B or C were included in statistics on persons awarded State compensation under the Victim Compensation Act contained in the annex to the written replies.

13. **Mr. Fathalla** asked why the State had ceased to subsidize programmes for national and ethnic minorities broadcast on State television and radio channels, and whether assistance had been provided for private Latvian and non-Latvian channels. He asked the delegation to comment on the question posed in paragraph 20 of the list of issues in the light of the adoption of the Electronic Media Act, which restricted broadcasts in languages other than Latvian on public and private channels, and to provide information on the outcome of the criminal proceedings related to the assault against journalist Leonīds Jākobsons in March 2012.

14. **Mr. Iwasawa** asked whether the initiatives described in paragraphs 151–153 of the report had served to increase the participation of ethnic minorities in political life at the national and local level. He wished to know how many Roma had been employed as teaching assistants in the comprehensive education system and whether they worked full-time. He enquired as to whether minorities had been able to voice their opinions on the amendments made to the Education Act in 2013 and whether they had been consulted during the development of language training programmes for non-Latvian speakers. According to reports, persons from a minority background could not attend university if they had a poor command of Latvian, and a bill to abolish the teaching of minority languages in State schools had been submitted in January 2014. He asked the delegation to comment on those reports, and on allegations that article 78 of the Criminal Code was interpreted in a restrictive manner, thereby resulting in some racist acts and comments going unpunished. Lastly, he asked whether, in the light of the findings of the Committee in the *Raihman v. Latvia* case (CCPR/C/100/D/1621/2007) and the recent Constitutional Court ruling in favour of the complainant using the original spelling of his name, the State party had considered revising the National Language Act of 1999.

15. **Mr. Zlătescu** asked what measures had been taken to guarantee the Roma access to education, professional training and the labour market and to ensure that their own cultural and linguistic diversity was reflected in the school curricula designed for them. He wished to know whether the history and culture of the Latvian Roma were taught in schools, in particular concerning the group's extermination by the Nazis during the Second World War, and whether the State party was implementing policies aimed at encouraging them to pursue a secondary and university education, in particular by providing them with scholarships.

The meeting was suspended at 11.35 a.m. and resumed at noon.

16. **Mr. Velšs** (Latvia) said that temporary detention facilities were located in police stations and were designed to accommodate persons under criminal investigation, suspects in police custody and convicted persons on the one hand, and persons suspected of certain administrative offences on the other. The two categories of detainee were held separately. As for administrative offences, detention could, in exceptional circumstances, last for up to 15 days. However, according to statistics for recent years, the average length of detention for criminal offences was 4 days. At present, there were 22 temporary detention centres in Latvia, with a total capacity of around 700 places. Five of those centres had closed, as the prison population had steadily declined. At present, the average occupancy rate stood at only 20 per cent. The Cabinet of Ministers had recently proposed discontinuing prison sentences for certain administrative offences, which would serve to further reduce the number of detainees. In May 2014, renovation work would begin in 10 detention centres across the country.

17. **Ms. Freimane** (Latvia) said that the audit commission's report would be published in April 2014, but that some of its conclusions had already been made public. It was already common knowledge that the Šķirotava prison and the disciplinary cells in Brasa prison in Rīga would close owing to their inadequate living conditions. In addition, the minimum cell size had been set at 4 square metres. At present, the majority of shared cells were partitioned so that there was a separate area for the toilets. The detainees in the central prison in Rīga and the prison in Jelgava were no longer kept in their cells for 23 hours a day and had, inter alia, the opportunity to practise sport and attend religious services. In the event of medical staff discovering injuries on a detainee's body, they automatically informed the Prison Governor. Special training would be given to medical personnel in 2014 on the detection and reporting of signs of ill-treatment. Detainees requiring medical treatment were taken to hospital and their medical expenses were paid for by the State. Detainees had guaranteed 24-hour access to emergency medical care.

18. **Mr. Citskovskis** (Latvia) said that the Act amending the Asylum Act, which had entered into force in November 2013, had been developed with a view to strengthening the principle of non-refoulement. A person could not be expelled if it would be contrary to the State party's obligations under international treaties. Only reasons of national security prompted expulsion; the reference to threats to public order had been removed. Appeals could be heard by the administrative courts regardless of whether they related to a standard or fast-track process. State-funded interpretation services were provided for asylum seekers.

19. **Ms. Kleinberga** (Latvia) said that Latvia had adopted social integration guidelines for 2012–2018 in 2001, which had been prepared with input from ethnic minority representatives. Cooperation with ethnic minorities was facilitated by several advisory bodies, including the Advisory Committee on National Minorities. As part of the Special Forum for Ethnic Minorities in October 2013 attended by over 200 organizations, working groups had discussed issues such as education and participation in public life. Initiatives had been designed to integrate the Roma within the European Union Framework for National Roma Integration Strategies up to 2020. The measures took into account the specificities of the very small Roma population in Latvia and had been incorporated into the social integration guidelines for 2012–2018. The State also conducted awareness-raising activities in regard to education with the support of the European Commission. NGOs representing the Roma had been involved in the design, implementation and evaluation of integration policies. The duty of remembrance in respect of war crimes was one of the requirements contained in the social integration guidelines.

20. **Ms. Arkle** (Latvia) said that the quality of education provided to the Roma was assessed annually by the Ministry of Education and Science. According to the data available, there were 112 Roma children attending primary and secondary school and 4 teaching assistants. Latvian language and foreign languages lessons were provided as part

of educational support. Lessons were taught in the Roma language in some schools. There were 800 primary and secondary schools in Latvia which were all subject, without exception, to the regulations of the Ministry of Education and Science. Improving the education of minorities and promoting their social integration featured among the priorities of the Ministry. Minority schools represented 26 per cent of all public schools; however, they not only took pupils from ethnic minority backgrounds. Statistics had shown that pupils of such schools achieved results in State examinations which were similar to, if not better than, those of pupils from other schools. The State funded the teaching of languages such as Russian, Polish, Hebrew and Belarusian, but placed emphasis on proficiency in Latvian, which was the language of higher education. All school curricula also included lessons on human rights, gender equality and tolerance.

21. **Mr. Makarovs** (Latvia) said that only State broadcasting corporations, namely Latvian radio and television broadcasters, received State subsidies. There was a Latvian State radio station which broadcast more than 8,000 hours of programmes in Russian per year. Many other media outlets also broadcast programmes in Russian or other languages, but subtitling was obligatory if the broadcaster was based in Latvia. Non-Latvian speakers therefore had numerous sources of information in their own language.

22. **Mr. Kišuro** (Latvia) said that, in regard to placement in a psychiatric hospital, the duration indicated by the delegation represented the legal maximum. The patient's file was considered within 72 hours by a board of experts that handed down a decision within 24 hours. The process could therefore take up to four days in all. The period of medical observation could not be reduced, as persons who had been involuntarily detained were often dangerous. Mental health establishments were inspected by the Health Inspectorate, which generally acted in response to a complaint, and by the Ombudsman's Office, whose role it was to defend the rights of patients. A bill amending the Medical Treatment Act aimed at strengthening protection for the private lives of persons involuntarily detained had been submitted to Parliament in response to the recommendations made by the Ombudsman in January 2014.

23. **Ms. Līce** (Latvia) said that special attention had been paid to hate crimes over the past two years. The main difficulties lay in drawing a line between freedom of expression and incitement to hatred; training police officers; strengthening trust between the public and the authorities, and defining the role of the media and schools in prevention. The Ministry of Foreign Affairs had drafted a report on the role of the State in that area based on the work of the Human Rights Committee and the European Commission against Racism and Intolerance and the jurisprudence of the European Court of Human Rights.

The meeting rose at 1 p.m.